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[AS AMENDED BY STANDING COMMITTEE C]

TO

Make provision for the disbandment of the Royal Irish Constabulary and with respect to magistrates appointed under the Acts relating to that Force, and for the validation of things done or omitted in the execution or purported execution of those Acts, and for other purposes incidental thereto.

A.D. 1922.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same,

as follows :—

1. —(1) The Royal Irish Constabulary shall be disbanded on such day, not being later than the thirty-first day of July nineteen hundred and twenty-two, as may be fixed by the Lord Lieutenant, and on or before that date every officer and constable of that force shall retire from the force as and when required by the Lord Lieutenant, and shall on his retirement be entitled to receive such compensation as may be awarded to him by the Treasury in accordance with the rules contained in the Ninth Schedule to the Government of Ireland Act, 1920, as amended and modified by the provisions set out in the Schedule to this Act and, in the event of his dying after a compensation allowance has been awarded to him, the Treasury shall grant a pension or gratuities to his widow and children in accordance with the said rules as so amended and modified.

Disband-
ment of the
Royal Irish
Constaba-
lary.

(2) The provisions of Article 15 (which relates to assignment and regulations as to payment of pensions, &c.), and Article 16 (which relates to forfeiture of pension or allowance) of the Royal Irish Constabulary Pensions

A.D. 1922. Order, 1922, shall apply as respects compensation allowances awarded in pursuance of this section in like manner as they apply as respects pensions under that Order, with the substitution of references to the Treasury for references to the Inspector-General.

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(3) If any officer or constable to whom a compensation allowance has been awarded in pursuance of this section takes service in any police force the allowance may be suspended in whole or in part so long as he remains in such force.

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(4) Sections eight and ten of the Police Pensions Act, 1921, shall not apply to the service in the Royal Irish Constabulary of any officer or constable to whom a compensation allowance has been awarded in pursuance of this section, or to his prior service in any other police force so far as the same has, for the purposes of the award, been reckoned as service in the Royal Irish Constabulary, but if any such officer or constable takes service in any police force, and on his ultimate retirement therefrom is awarded a pension, then, if the amount of the compensation allowance when added to the amount of his pension exceeds the higher of the two following sums,—

(a) two-thirds of the salary on which his compensation allowance was calculated; or

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(b) two-thirds of the salary of which he was in receipt at the time of his ultimate retirement;

or should those sums be equal, exceeds either of those sums, his compensation allowance may be suspended to the extent of the excess:

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Provided that where the officer or constable on his ultimate retirement is awarded a lump sum instead of or in addition to a pension, the annual amount which would represent that sum, if converted into a life annuity, shall be determined by the Treasury, and the amount so determined shall, for the purpose of the foregoing provision, be deemed to be or to form part of his pension.

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(5) The Pensions Commutation Acts, 1871 to 1882, shall apply to any officer or constable to whom a compensation allowance is awarded in pursuance of this section in like manner as if he had retired from the permanent civil service of the Crown on the abolition

A.D. 1922.

of his office, and any terminable annuity payable to the National Debt Commissioners in respect of the commutation of a compensation allowance shall be paid out of the same funds as the allowance :

5 Provided that in such cases and on such terms as the Treasury may by regulation prescribe, the Treasury may, on the application of any such officer or constable, commute a portion of the compensation allowance so awarded to him as aforesaid for an annuity for a term of two years
 10 but ceasing on his death if he dies within that term, and in such case the following provisions shall have effect :—

- 15 (a) the capital sum representing the portion of the compensation allowance to be commuted shall be ascertained in accordance with the tables and the rule for determining age for the time being in force under the Pensions Commutation Acts, 1871 to 1882 ;
- 20 (b) the capital sum so ascertained shall be applied by the National Debt Commissioners in providing an annuity for such term as aforesaid, and the National Debt Commissioners shall have power to grant such an annuity ;
- 25 (c) in calculating the amount of the annuity, the same rate of interest shall be assumed as is assumed in calculating such capital sum as aforesaid ;
- 30 (d) subject as aforesaid the annuity shall be calculated in such manner and in accordance with such tables, and shall be payable in such manner and at such times as the Treasury may by regulations prescribe ;
- 35 (e) sums payable or paid on account of any such annuities as aforesaid shall, for the purposes of sections six and eight of the Pensions Commutation Act, 1871, be treated as amounts awarded as commutations of pensions under that Act as applied by this subsection.

40 (6) Section nine of the Constabulary and Police (Ireland) Act, 1883 (which relates to the punishment of persons obtaining pensions, &c., by fraud), shall apply in the case of compensation allowances, commutation annuities, pensions, and gratuities awarded or payable in

A.D. 1922. — pursuance of this section in like manner as it applies in the case of pensions and gratuities under that Act.

(7) Where, for the purpose of expediting the disbandment of the Royal Irish Constabulary, any member of that force has, since the twenty-fifth day of January 5 nineteen hundred and twenty-two and before the passing of this Act, been discharged with compensation, his discharge and the grant of compensation to him shall be as valid and effectual as if they had been expressly authorised by this Act, and the compensation shall be 10 treated as compensation payable under this Act, and the provisions of this Act with respect to a compensation allowance awarded in pursuance of this section shall apply to any annual allowance so granted.

(8) All compensation payable to officers and constables 15 of the Royal Irish Constabulary under this Act (including any compensation which is to be treated as so payable), and any pensions and gratuities granted to widows and children of such officers and constables in pursuance of this Act shall be paid out of moneys provided by Parliament.

(9) The powers of the Lord Lieutenant or inspector general with respect to pensions, allowances, or gratuities of members of the Royal Irish Constabulary, their widows, 20 children, or dependents, under the Acts or Orders relating to that force may, after the day fixed for the disbandment of the said force, be exercised by the Treasury.

(10) For the purposes of section fifty-seven of the Government of Ireland Act, 1920, so far as it relates to pensions of officers and constables of the Royal Irish Constabulary payable at the date of transfer, the day fixed for the disbandment of the Royal Irish Constabulary shall, so far as respects Northern Ireland, be treated as the date of transfer.

2. On the day fixed for the disbandment of the Royal Irish Constabulary the public services in connection with magistrates appointed under the Acts relating to that force shall, as respects Northern Ireland, be transferred from the Government of the United Kingdom to the Government of Northern Ireland, and the provisions 40 of the Government of Ireland Act, 1920, in their application to Northern Ireland, shall have effect accordingly in like manner as if the said day had been duly determined.

Transfer of
public
services in
connection
with resident
magistrates.

by His Majesty in Council under section nine of the said A.D. 1922.
Act to be the date for the purpose aforesaid.

3. Anything done or omitted after the first day of January nineteen hundred and nineteen in relation to the 5 appointment or distribution of officers or constables of the Royal Irish Constabulary, including the appointment or purported appointment of officers or constables in excess of the numbers authorised to be appointed by the 10 Acts relating to that force, or otherwise in the execution or purported execution of those Acts, shall be deemed to have been lawfully done or omitted if the act or omission was authorised by the Lord Lieutenant or Chief Secretary or is certified by a Secretary of State to have been necessary or expedient with a view to the restoration or 15 maintenance of order in Ireland.

4. This Act may be cited as the Constabulary Short title.
(Ireland) Act, 1922.

Validation
of things
done or
omitted
in the
execution
of the Acts
relating to
the Royal
Irish Con-
stabulary.

A.D. 1922.

S C H E D U L E.

The rules in the Ninth Schedule to the Government of Ireland Act, 1920, shall apply for the purposes of the award of compensation under section one of this Act, subject to the following modifications :—

- (1) Any reference to the Lord Lieutenant shall be construed as a reference to the Treasury, and the expression "existing enactments" shall be construed as meaning enactments in force at the time of the passing of this Act and any orders made under those enactments and in force at that time.
- (2) The following proviso shall be added at the end of rule 2 :—

Provided that in the case of the surgeon of the Royal Irish Constabulary his compensation allowance may, should he so desire, be calculated in like manner as the pension which he would have been entitled to receive on retirement under the existing enactments applicable to him if the years to be added as aforesaid were added to his years of age instead of to his completed years of actual service.

- (3) Rule 3 shall not apply.
- (4) The following rule shall be substituted for rule 4 :—
" (4) The allowance awarded to an officer or constable shall in no case exceed two-thirds of the salary on which the allowance is calculated."
- (5) The following words shall be added at the end of rule 5, "and as if his years of service had been the " years on which the allowance was calculated."

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Presented by Mr. Secretary Churchill,

supported by
*Sir Hamar Greenwood, Mr. H. G. Young,
and Mr. Attorney-General,*

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